

**APPROVED**

**BOARD OF DENTISTRY  
MINUTES OF BOARD MEETING**

**Friday September 10, 2004**

**Norfolk Marriott Waterside  
235 E. Main St.,  
Norfolk, Virginia**

**CALL TO ORDER:** The Virginia Board of Dentistry convened for a business meeting at 9:05 a.m.

**PRESIDING:** James Watkins, D.D.S., President

**MEMBERS PRESENT:** Meera Gokli, D.D.S.  
Michael Link, D.D.S.  
Harold Seigel, D.D.S.  
Paul Zimmet, D.D.S.  
Millard Stith  
Jacqueline Pace, R.D.H.  
Misty Sissom, R.D.H.  
Edward Snyder, D.D.S.  
Glenn Young, D.D.S.

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Sandra Reen, Executive Director  
Robert Nebiker, Director- DHP  
Elaine Yeatts, Senior Policy Analyst

**COUNSEL PRESENT:** Howard Casway, Sr. Assistant Attorney General

**QUORUM:** With ten members of the Board present, a quorum was established.

**PUBLIC COMMENT:** **Mark Crabtree, DDS** expressed his opposition to the Board's recent decision to cancel its RFP for examination services. He stressed the importance of the Board's participation in the examining process particularly now when there are efforts being made towards a national examination. He encouraged the Board to take immediate steps to continue its participation with a regional testing agency.

**Trudy Levitin, RDH** addressed the importance of participating in testing candidates for licensure. She urged the Board to reconsider its decision to stop the examination contract process and to find a way to continue its participation in SRTA. She stressed the benefits of having current and former Board Members examine candidates.

**Garth Bobrowski, DMD, Treasurer of SRTA**, advised that SRTA was surprised and dismayed by the Board's decision to cancel the RFP process. He had understood that the respective legal counsel had negotiated terms to meet the interests of the Board and SRTA. Dr. Bobrowski said that SRTA wants the Virginia Board as a member and he asked the Board to extend the current contract by one year. The extension would allow Virginia to continue to work with SRTA while allowing time to work through a new contract. Ms. Laura Slaughter, Executive Director of SRTA was present and answered Board Member question.

**APPROVAL OF MINUTES:**

On a properly seconded motion by Dr. Seigel, the Board approved the Minutes for the June 18, 2004 Exam Committee meeting, the June 18, 2004 Meeting with the VCU School of Dentistry, and the Board Meeting of July 30, 2004.

**BOARD DISCUSSION:**

**Examination Services for 2005:** Dr. Watkins reminded the Board that on July 30, 2004 a motion was passed to look at accepting two or more regional exams for the year 2005. The Board requested that this meeting agenda include a presentation by a representative of the VCU School of Dentistry on clinical examinations and information about the four regional examining agencies: Central Regional Dental Testing Services (CRDTS), Northeast Regional Board of Dental Examiners (NERB), Southern Regional Testing Agency (SRTA) and Western Regional Examining Agency (WREB). Dr. Watkins advised that the Board needed to decide what exams it will accept beginning January 1, 2005 so dental students have notice of the options that will be available to them.

- Dr. Hagan reported to the Board that the VCU School of Dentistry has not worked with CRDTS and has not worked with NERB for 10 years so she would be addressing the examinations given by SRTA and WREB. She reported:
  - WREB is a much smaller examination which requires very little assistance from the School. WREB compensates faculty for assisting. It is well run with staff arriving 1½ days before the exam date to set-up. The exam results are consistent with class rankings.

The exam content is comparable to SRTA's. Scoring takes in variables that are beyond the candidate's control.

- SRTA, as a very large examination, requires a great deal of assistance from administrative staff who are not compensated. Management errors and a lack of clear criteria have contributed to a number of candidate failures. Exam results are not consistent with class ranking. SRTA works with faculty representatives to address problems and has made needed changes.

Dr. Hagan concluded her remarks by saying that both WREB and SRTA will be testing at the School in 2005.

- Ms. Reen reported that the four testing agencies provided the information requested about their examinations which was mailed with the agenda packages. She asked if there were any questions on the information provided. Dr. Link indicated that the members who attended the SRTA meeting had the benefit of hearing presentations given by CRDTS, NERB and WREB. He pointed out the variations in scoring methodologies. He then addressed his interest in continuing the Board's contract with SRTA. Dr. Seigel stated that the Board had an obligation to test candidates. Mr. Casway advised that Board Members are not required to "physically and personally" examine candidates. Ms. Reen asked the Board to focus on the decision of which examinations to accept in 2005 and to take up the subject of participating in examinations as a separate topic.

On a properly amended and seconded motion by Ms. Sissom the Board voted 8-1 to accept NERB, CRDTS, SRTA and WREB.

**Participation in Examinations:** Dr. Link urged the members to consider their duty to protect the public which includes being a part of a clinical licensing examination. A motion to renew the current contract with SRTA was considered. Staff advised that the contract did not provide for another extension. The motion failed. Dr. Link asked

what action was possible to allow members to participate in clinical testing. He asked if a contract would be needed. Mr. Casway requested that the Board convene in closed session to receive legal advice on the Virginia Procurement Act.

**CLOSED SESSION:**

On a properly seconded motion by Dr. Link, the Board voted 9-0 in favor of the motion, to enter into a closed meeting pursuant to §2.2-3711(A)(7) of the Code of Virginia to consult with legal counsel about the provisions of the Virginia Procurement Act.

**RECONVENE:**

The Board reconvened in open session pursuant to §2.1-344.1(D) of the Code. On a properly seconded motion by Dr. Seigel, the Board voted 9-0 in favor of the motion, that only public business matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board reconvened in open session pursuant to §2.2-3712(D) of the Code.

Dr. Watkins reported that no action was taken during the closed session.

**BOARD DISCUSSION:**

**Participation in Examinations:** Discussion continued. On a properly seconded motion by Dr. Link the Board voted unanimously to appoint a committee to develop an RFP for examination services beginning in the 2005 cycle.

**No action** was taken on the AADE National Uniform Clinical Examinations Memo, the inquiry to Dr. Link about Provisions for Emergencies, and the AADE Proposed National Structure.

**LEGISLATION AND  
REGULATION:**

**Committee Report:** Dr. Link reported that the Committee had met on September 9, 2004 to discuss expanded duties for Dental Assistants. He indicated the Committee requested that information be obtained on the experiences of Vermont and Kansas with their expanded dental assisting duties.

**Proposed Regulations on Temporary Resident's License:**

Ms. Yeatts asked the Board to adopt the proposal included in the agenda package, indicating that it is the same language as the emergency regulations currently in place. On a properly seconded motion by Dr. Link, the Board unanimously adopted the proposed regulations.

**Proposed Regulations on Delegation of Fact Finding:**

Ms. Yeatts asked the Board to adopt the proposal included in the agenda package, indicating that it is the same language as the emergency regulations currently in place. On a properly seconded motion by Dr. Link, the Board unanimously adopted the proposed regulations.

**Guidance Document on Delegation of Fact-Finding:**

Ms. Yeatts advised the document is not yet ready for review.

**Public Comment Received on 2005 Legislative Proposal:**

Ms. Yeatts advised that the comment had been submitted along with the proposal for review by the Secretary of Health and Human Resources, the Department of Planning and Budget and the Office of the Governor.

**Amalgam and Dental Wastewater Information:**

Ms. Reen indicated that the magazine included in the agenda materials was provided by Dr. Dickinson, Executive Director of the VDA. Ms. Yeatts advised that SB 187 was carried over to 2005. On a properly seconded motion by Dr. Link, the Board unanimously voted to oppose SB 187.

**EXECUTIVE DIRECTOR:**

**Form A in Application Package:**

Ms. Reen said the sample Form A and transcript were included in the agenda package in response to Ms. Sissom's question at the last Board meeting about eliminating Form A. Ms. Sissom was concerned that it was an unnecessary duplication of information provided on transcripts. The samples show that not all transcripts provide degree information. Ms. Sissom indicated that she could see that Form A is needed.

**2005 Calendar:**

Ms. Reen asked members to give her a list of dates in 2005 that would need to be avoided in setting the schedule for 2005. She indicated that the

schedule will need to be adopted at the November meeting. On a properly seconded motion by Dr. Link the Board voted to have Formal Hearings and Board Meetings scheduled together using Thursday afternoons and Fridays.

**Formal Hearings:** Ms. Reen said she would be polling members for additional dates in October, November and December to hold hearings that should be conducted by the end of the year.

**OTHER BUSINESS:**

**Prescription Monitoring Conference:** Dr. Watkins reported that Dr. Gokli will attend both days of the conference and that he would attend on the second day.

**Office Staff:** Dr. Watkins noted that absences and turnover were causing delays and he encouraged members to be understanding.

**Election of Officers:** Dr. Link reported that the Nominating Committee met earlier in the day. He moved the election of Dr. Watkins as President, Dr. Seigel as Vice-President and Dr. Zimmet as Secretary-Treasurer. The motion carried unanimously.

**Newsletter:** Dr. Zimmet asked if Mr. Nebiker had any more information on listing disciplinary actions. Mr. Nebiker indicated that he didn't, that omitting the names would be a disservice to licensees and the public. Ms. Reen noted she is unable to produce the newsletter due to the constant time sensitive demands on her time. On a properly seconded motion by Dr. Zimmet, the Board voted to use the respondent's name when publishing disciplinary information. With all business concluded, the Board adjourned at 3:15 p.m.

**ADJOURNMENT**

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James D. Watkins, D.D.S., President

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Sandra K. Reen, Executive Director

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Date

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Date